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TAGS: ETRD, EUN, IZ, KPAL, PREL, SR, SY, UP, YI

SUBJECT: APPROACHING THE EU IN ADVANCE OF THE NOVEMBER 21  
FOREIGN MINISTERS MEETING (GAERC)

REF: STATE 198361

Classified By: EUR/ERA DIRECTOR PETER CHASE, REASONS 1.4 (B) AND (D)

1. (C) EU Foreign Ministers will hold their next General Affairs and External Relations Council (GAERC) meeting in Brussels on November 21-22. On November 21 the Foreign Ministers will meet with EU Defense Ministers and points related to that meeting are included below. Among themselves, the Foreign Ministers plan to discuss Iraq, the Middle East Peace Process, Bosnia and Ukraine. [REDACTED]

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[REDACTED] As Kosovo, Syria, and WTO will likely also come up, points on those issues are also provided. On November 22 the Foreign Ministers will also meet with their Development Minister counterparts. While we do not have points for that meeting, we would welcome comments by MFA contacts on the issues that will be discussed.

2. (SBU) Reports by posts on comments by MFA contacts on issues mentioned below and any others which might come up would be appreciated. A background section is provided prior to a section containing talking points. Points are to be delivered only to EU members as well as to EU candidates Bulgaria and Romania, whose Foreign Ministers now participate fully in the GAERC discussions.

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SECRET PRISONS (ONLY IF RAISED)  
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-- The U.S. Government does not transfer anyone to the control/custody of another government without first receiving adequate assurances that the individual transferred will be treated humanely during any time he remains in host government control.

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### BACKGROUND

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### DEFENSE MINISTERS

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4. (SBU) In addition to meeting with EU Foreign Ministers on November 21, EU Defense Ministers will also hold a separate meeting as the European Defense Agency (EDA) Steering Board. During the GAERC meeting, the Ministers may finalize a review of the EUFOR Althea mission in Bosnia as well as a "requirements catalogue", which is a list of all the capabilities which the EU may need to conduct European Security and Defense Policy (ESDP) operations.

### IRAQ

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5. (SBU) In response to a request from Iraqi Prime Minister Ja'afari, the UN Security Council through resolution UNSCR 1637 extended through 2006 the mandate of the multi-national force Iraq (MNF-I) and the arrangements for the Development Fund for Iraq and International Advisory and Monitoring Board. In so doing, it covered only those aspects of UNSCR 1546 that were due to expire at the end of the transitional political process.

6. (U) At the November 7 GAERC, the EU Foreign Ministers issued conclusions welcoming the outcome of the October 15 constitutional referendum and pledged that EU will provide support to the monitor Iraq's December national elections. The European Commission has also announced plans to open an office in Baghdad, which we welcome as a demonstration of the EU's commitment to support Iraq.

### MIDDLE EAST PEACE PROCESS

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7. (U) U.S. efforts continue to focus on sustaining momentum along the economic and security tracks after disengagement to reenergize progress along the Roadmap toward President Bush's vision of a two-state solution to the Israel/Palestinian

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conflict. On November 15, the Secretary announced the finalization of an "Agreement on Movement and Access" between Israel and the Palestinian Authority. (For summary of the agreement please see the Secretary's November 15 press conference on state.gov -- posts may wish to provide copy with the talking points.) High Representative Solana appeared together with the Secretary in Jerusalem to announce the agreement, underscoring the importance of the European Union's critical role as the third-party presence at Rafah. We deeply appreciate these efforts. The USG is providing \$200,000 in equipment for Rafah to support the crossing's reopening as well. Points below highlight the importance of the agreement as well as convey our thanks to the EU for its role in achieving the agreement.

### ----- UKRAINE -----

8. (U) The EU is currently preparing its Summit Meeting with Ukraine scheduled for December 1. Prime Minister Yekhanurov visited Washington recently. He is credited with re-establishing order in the Ukrainian Government following President Yushchenko's September 8 dismissal of the Tymoschenko cabinet. The new government scored a major success with the successful re-privitization of Ukraine's Kryvorizhstal steel works in mid-October. However, the Ukrainian Government still needs to get reforms back on track. Progress towards WTO accession has been fitful. We want Ukraine to regain and maintain momentum on reform ahead of the March 2006 parliamentary (Rada) elections, whose conduct will also be a critical measure of Ukraine's progress.

### BOSNIA -----

9. (U) On November 9, the European Commission in its regularly monitoring report on the Western Balkans noted that Bosnia-Herzegovina must continue to improve the functioning of its institutions and speed up its reform process. Bosnia's cooperation with ICTY was characterized as having improved significantly.<sup>8</sup> The Commission underscored its October 21 recommendation that the Council open Stabilization and Association Agreement (SAA) negotiations with Bosnia, which the GAERC should confirm on November 21.

10. (U) November 21 is also the tenth anniversary of the Dayton Peace accords. On this anniversary, we expect Bosnia to announce measures to modernize the Dayton arrangements to

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strengthen and improve Bosnian state institutions, consistent with eventual EU membership requirements.

KOSOVO

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11. (U) At the November 7 GAERC, the Foreign Ministers endorsed High Representative Solana's nomination of Stefan Lehne as the EU Representative to the Kosovo future status process. The Foreign Ministers also reaffirmed their view that Kosovo's future status must be fully compatible with international legal instruments and obligations as well as the UN Charter. They agreed that a final status settlement should aim at a Kosovo where all -- regardless of ethnic background -- are free to live, work and travel without fear or danger. The Ministers also affirmed that the resolution of Kosovo's future status should enable the governments in Belgrade and Pristina to make progress towards the European Union.

SYRIA

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12. (SBU) The United Kingdom invited Syrian President Bashar Asad to the Barcelona Process 10th Anniversary Summit in late November; Asad will send Foreign Minister Shara'a in his stead. This is an important event at which the Syrian delegation must be isolated and the message delivered that Syrian behavior on a host of issues has not been satisfactory to the international community. In the wake of the Mehlis report on Syrian complicity in the assassination of former Lebanese Prime Minister Hariri, the UN Security Council unanimously approved UNSC resolution 1636 on October 31. This resolution demands complete and unfettered Syrian cooperation with the UN Independent International Investigation Commission (UNIIIC).

WTO

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13. (SBU) The U.S. is disappointed that the recent WTO ministerial-level negotiations in London and Geneva November 7-9 were not more productive. However, the U.S. maintains its high level of ambition for the Doha Round. The EU's October 28 agriculture offer remains unsatisfactory, offering no real new market access. Moreover, its "take it or leave it" attitude has contributed to the stalemate in the negotiations. We need to maintain maximum pressure on all WTO members to do as much as possible in Hong Kong, and to keep the overall level of ambition high. In addition to the EU's need to improve its agricultural market access offer, we

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believe that, to move ahead with talks, advanced developing countries, such as the emerging economies of Brazil, India, and China, will need to become more engaged on services and manufactured goods.

### ----- TALKING POINTS -----

### DEFENSE ISSUES -----

-- We understand the EU Foreign Ministers will meet with their Defense Minister counterparts on November 21 and therefore provide a few thoughts on issues which may be discussed.

-- In capabilities development like the Headline Goal 2010, the EU and NATO should intensify cooperation. With the European Defense Agency (EDA) taking on a growing role, it is particularly important that there be cooperation between the EDA and NATO, as EU Ministers have agreed.

-- The EU is also doing important work on Civilian Capabilities Improvement and on integrated Civil-Military planning, which should be useful for many of the missions we all foresee, such as stabilization missions. NATO is also having important discussions on related areas, which we encourage. This should be a priority area for dialogue between NATO and the EU.

### IRAQ -----

-- We are pleased with the European Commission's announcement that it will open a mission in Baghdad. This is an important demonstration of the Commission's intent to continue to assist Iraq.

-- Political entity, coalition and candidate registration and campaigning activity demonstrate continued intent of all communities, including the Sunni Arabs, to participate in large numbers in the December 15 legislative election. Those elected will make up the first government under the new constitution.

-- We hope the Arab League's November 19-21 meeting to prepare for an Arab League-sponsored international conference in Iraq next year will further national dialogue and support the UN Security Council-endorsed political process.

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-- We believe that the new constitution will be a keystone for efforts by Iraqis to develop a national accord. The constitution lays out vital principles and essential freedoms for a united, inclusive and democratic Iraq. However, the December 15 election and the process for considering constitutional amendments next year are critical opportunities for Iraqis to determine how the constitution is implemented, interpreted and possibly amended.

-- As its leaders have made clear, Iraq will continue to need international economic, political and security through and after the December election. We hope that the EU and members can continue and increase assistance to Iraq, including capacity building and the training and equipping of Iraqi security forces. We urge all countries to implement or match the Paris Club's decision to forgive at least 80 percent of Iraqi debt.

-- The importance of a credible December election should be something we can all agree upon. We appreciate the European Commission and Members States' donations to the UN's electoral assistance efforts. The UN tells us more funding may be needed to carry them through the December election.

-- We welcome the EU Foreign Ministers decision at the November 7 GAERC that the EU will assist the December 15 election by supporting the work of election monitors. European Commission and EU members are encouraged to send electoral monitors; the security situation in the north and south in particular are better than is often reported in the press.

-- We also hope the EU and members states will be clear to Iran and Syria that the international community will be judging them on their behavior towards Iraq, not simply their words.

### MIDDLE EAST PEACE PROCESS

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-- U.S. efforts continue to focus on sustaining momentum along the economic and security tracks after disengagement to reenergize progress in accordance with the Roadmap toward President Bush's two-state vision.

-- On November 15, Israel and the Palestinian Authority finalized an "Agreement on Movement and Access" that addresses key obstacles to restoring Palestinian economic growth. For the first time since 1967, Palestinians will gain control over entry and exit from their territory through

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the Rafah crossing, which is scheduled to open on November 25.

-- We appreciate the key role the European Union played in helping the parties reach this agreement, both directly and through the Quartet. The EU presence at Rafah will be essential to building the parties, confidence in these new arrangements, which will also set security and customs precedents for the Gaza seaport and airport. We will continue to work with the parties and the EU to implement key provisions of this agreement. The USG has already provided \$200,000 in equipment to support the reopening of the Rafah crossing.

-- President Bush has nominated Major General Keith W. Dayton to serve as U.S. Security Coordinator (USSC). He will replace Lieutenant General William Ward, who will soon move on to another assignment. We look forward to continuing the close coordination between the USSC mission and the EU Coordinating Office for Palestinian Police Support (EU COPPS) on the ground as we continue to facilitate reform of the Palestinian Authority's security forces.

### UKRAINE

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-- Important for Ukraine to hold free and fair Rada elections next March.

-- Ukraine has to make further improvements to the investment climate. The Government of Ukraine has said there are no plans for further re-privatizations, and has begun the process of abolishing Ukraine's Soviet-style commercial code.

The Ukrainian government needs to follow through on both issues. We also need to encourage the Ukrainian government to resolve outstanding business disputes and implement anti-corruption measures.

-- We see need for progress on WTO issues. The Rada has a mixed record, failing to pass several important pieces of legislation earlier this month, but has since passed other WTO-related pieces of legislation and is considering more. The U.S. and EU should encourage Ukraine to explain benefits of WTO-related reform to the public and Rada more effectively.

-- It is important for the U.S. and the EU to maintain a united front on Belarus and avoid high-level uncoordinated meetings that give legitimacy to Lukashenko. Recent high-level Ukraine-Belarus contacts (including

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Yekhanurov-Lukashenko meeting in Minsk), while perhaps well-intentioned, risk undermining international unity.

### BOSNIA

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-- Bosnia has made tremendous progress in the last decade implementing the provisions of the Dayton agreement and reforms necessary for developing closer relations with NATO and the EU. We look forward to commemorating the progress over the last ten years with representatives from Bosnia, NATO, the EU, and others on November 21 and 22 in Washington.

-- We welcome the EU's decision to open Stabilization and Association Agreement (SAA) negotiations with Bosnia and Hercegovina.

-- As Bosnia moves forward with the SAA process, Bosnians can and should increasingly take on more responsibilities and control of their own destiny. We believe High Representative Ashdown's successor should be charged with phasing out the Office of the High Representative (OHR), accelerating the transfer of the remaining authorities from OHR back to Bosnian institutions by the end of 2006, circumstances permitting. This should be clearly articulated to the people of Bosnia when Ashdown's successor is named and well underway by the middle of 2006 so that Bosnians can take these changing circumstances into account when they go to the polls in October 2006.

-- The United States also encourages Bosnian efforts to modernize the Dayton arrangements to strengthen and improve Bosnian state institutions, consistent with eventual EU membership requirements, and to break down remaining ethnic and political divisions within Bosnia and Hercegovina. We expect the Bosnians to endorse a process for undertaking such changes at the November 21-22 Dayton commemoration events. We look forward to working closely with our partners in the EU, NATO and the region on ways to encourage the Bosnians to move forward on this issue.

### KOSOVO

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-- We welcome the appointment of Martti Ahtisaari as UN Special Envoy for the process to determine Kosovo's future status, as well as EU High Representative Solana's appointment of Stefan Lehne as the EU's representative to this process.

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-- We need to ensure that both Pristina and Belgrade get the message that compromise will be essential and both sides will have to make important concessions. In particular, Belgrade should encourage Kosovo Serbs to participate in Kosovo institutions and in the negotiations. Kosovo Albanian leaders should set aside political differences. They need to hear that this is their opportunity to make the case for why they should attain their aspirations, and disunity and infighting will not demonstrate that they are capable of contributing to stability in the Balkans.

-- The U.S. expects to name its own Special Envoy soon, who will work closely with Ahtisaari as we move forward.

### SYRIA

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-- The UN Security Council unanimously approved UNSC resolution 1636 on October 31. This resolution demands complete and unfettered Syrian cooperation with the UN Independent International Investigation Commission (UNIIIC). We are deeply concerned by the threatening tone of President Asad's November 10 speech and emphasize that we have not yet seen evidence of Syrian cooperation. UNSCR 1636 states UNIIIC chief Mehlis has the authority to determine the location and modalities for interview of Syrian officials and individuals.

-- We are also deeply concerned by reports of an increasing influx of weapons and personnel from Syria to militia groups within Lebanon, as described in Special Envoy Larsen's report on implementation of UNSCR 1559.

-- We urge our EU allies to continue to pressure Syria to comply with all UNSCRs, including UNSCR 1636.

-- We should not engage with Syria until it joins the community of responsible nations. Engaging with Syria at this time presents a paradox in the international community's strategy. We urge your continued isolation of Syria, including avoiding any bilateral meetings with the Syrian delegation on the margins of the Barcelona Anniversary summit.

### WTO

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-- President Bush welcomed and endorsed Prime Minister Blair's challenge to WTO members to ensure that the Doha Round fulfills its market-opening potential to lift hundreds

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of millions of people out of poverty.

-- To achieve an ambitious agenda, all WTO members must step up to the plate. To give impetus to the Doha Round and the fast-approaching Hong Kong Ministerial, the U.S. called for the reduction and then elimination of trade-distorting agricultural subsidies and tariffs.

-- If the EU offers similar real cuts to agricultural subsidies and tariffs, others will also have to come forward with significant proposals to cut tariffs and reduce barriers on manufactured goods and services.

-- The Doha Round is vital to promoting development, reducing poverty, and increasing prosperity and stability worldwide.

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